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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/673,986

09/29/2003

Peter Kozdon

2003P08066US

2831

7590

11/02/2006

Siemens Corporation
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER

PHAN, JOSEPH T

ART UNIT

PAPER NUMBER

2614

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/673,986

Applicant(s)

KOZDON ET AL.

Examiner

Joseph T. Phan

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2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-11,17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-11,17 and 18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-11, and 17-18 rejected under 35 U.S.C. 102(e) as being anticipated by Becker et al., Patent #6,981,223.

Regarding claims 1, 17, and 18, Becker teaches a system, method, and article of manufacture comprising:

a processor, a communication port coupled to said processor and adapted to communicate with at least one device, and a storage device coupled to said processor and storing instructions adapted to be executed by said processor(Fig.15-16) to: determine a plurality of communication devices associated with an identity, determine at least one media capability associated with each of said plurality of communication devices(Fig.15 and col.20 lines 37-56; e.g. determines fax machine for faxing); determine availability information for each of said at least one media capability(Fig.15 and col.20 line 57-col.21 line 6); and providing for each of said plurality of communication devices, via a user interface, an aggregated view of data indicative of said availability information for each of said at least one media capability(Fig.15 and

col.20 line 30-col.21 line 6).

Regarding claim 2, Becker teaches the method of claim 1, further comprising the step of: receiving a request for information regarding media channel availability for said identity(Fig.15 and col.20 line 30-col.21 line 6).

Regarding claim 3, Becker teaches the method of claim 1, further comprising the step of: receiving a request for information regarding media channel availability for said device(Fig.15 and col.20 line 30-col.21 line 6).

Regarding claim 5, Becker teaches the method of claim 4, wherein said interface provides information identifying said device(Fig.15 and col.20 line 30-col.21 line 6).

Regarding claim 6, Becker teaches the method of claim 4, wherein said interface provides information identifying said identity(Fig.15 and col.20 line 30-col.21 line 6).

Regarding claim 7, Becker teaches the method of claim 4, wherein said interface provides information identifying an identity context associated with said identity(Fig.15 and col.20 line 30-col.21 line 6).

Regarding claim 8, Becker teaches the method of claim 1, further comprising the step of: determining a device context for said device (Fig.15 and col.20 line 30-col.21 line 6).

Regarding claim 9, Becker teaches the method of claim 1, further comprising the step of: determining a rule governing availability of said media channel (Fig.15 and col.20 line 30-col.21 line 6).

Regarding claim 10, Becker teaches the method of claim 1, further comprising the step of: determining a rule that governs how availability of said media channel is to

be determined(Fig.15 and col.20 line 30-col.21 line 6).

Regarding claim 11, Becker teaches the method of claim 1, further comprising the step of: determining an identity context for said identity(Fig.15, col.20 line 30-col.21 line 6).

Response to Arguments

2. Applicant's arguments filed 08/14/2006 have been fully considered but they are not persuasive. Applicant argues that the prior art of record, Becker does not determine availability information for each of the at least one media capability; and providing for each of said plurality of communication devices, via a user interface, an aggregated view of data indicative of said availability information for each of said at least one media capability.

Examiner respectfully disagrees as Fig.15 in Becker and col.15 lines 51-65 clearly discloses that Becker's system determines availability information for each of the at least one media capability. In this instant, the examiner uses the embodiment of Lou in col.20 lines 35-65. As one example of determining availability information, Becker's system determined that Lou's J2ME telephone is available(is online), hence the circle shown around Lou's telephone icon in Fig.15 and, on the other hand, Ken's J2ME telephone is not available and therefore Becker's system does not show a circle around Ken's telephone icon(Fig.15 and col.20 lines 39-42).

Furthermore, Becker's clearly discloses that his system determines availability information of the plurality of devices in col.20 lines 39-65 as throughout col.20 lines 39-65, references are stated to the fact that the plurality of devices is offline, etc. Offline is

a determination of availability information.

It is noted that the limitation as argued only recites "determining availability information for each of said at least one media capability" and therefore if the system can detect that the media capability is "offline" as Becker teaches, then Becker determines the availability information of the offline device. Also as clearly stated in col.20 lines 60-65, Becker's system determines all 'available' secondary messaging options for Lou, and shows the device which Lou is currently using.

In addition, J2ME telephones, even when available, do not show the 'available' comment next to it as the SMS phone does not provide such information, The system determines its availability by providing a circle around the telephone icon (Lou's J2ME telephone is determined to be available(i.e. turned on and is online-col.20 lines 42-44); if it is offline like Ken's, there is no circle around it as shown in Fig.15. These circles and 'available' comments of the plurality of communication devices provide an aggregated view of available information via a user interface as shown in Fig.15. Therefore, the examiner maintains the rejection on the claims as currently recited.

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTP

October 30, 2006



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